

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ANTHONY WILLIAMS,

Plaintiff,

- against -

NEW YORK STATE OFFICE  
OF MENTAL HEALTH, et al.,

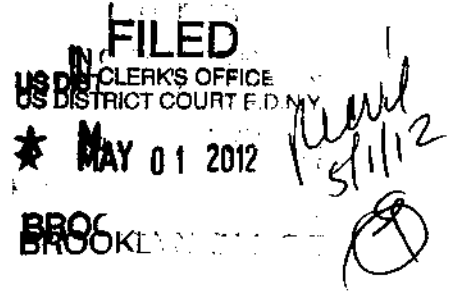
Defendants.  
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**TOWNES, United States District Judge:**

On February 22, 2012, Anthony Williams ("Plaintiff"), proceeding *pro se*, filed a document titled "Motion for More Definite Statement," wherein Plaintiff sought preliminary injunctive relief from a Section 730 mental examination that he was required to undergo following a December 2011 arrest. DE #135. The motion was referred to Magistrate Judge James Orenstein for a report and recommendation ("R&R") on February 29, 2012. DE #136. On March 27, 2012, Judge Orenstein issued an R&R indicating that he had made an oral recommendation at a status conference held on the same day that this Court deny Plaintiff's request based on the reasoning set forth in the December 1, 2011 R&R. This Court adopts Judge Orenstein's March 27, 2012 R&R in its entirety.

A district court judge may designate a magistrate judge to hear and determine certain motions pending before the Court and to submit to the Court proposed findings of fact and a recommendation as to the disposition of the motion. *See* 28 U.S.C. § 636(b)(1). Within fourteen days of service of the recommendation, any party may file written objections to the magistrate's report. *See id.* Upon *de novo* review of those portions of the record to which objections were made, the district court judge may affirm or reject the recommendation. *See id.*

The Court is not required to review the factual or legal conclusions of the magistrate judge as to those portions of the R&R to which no objections have been made. *See Thomas v.*




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*Arn*, 474 U.S. 140, 150, 106 S. Ct. 466, 88 L. Ed. 2d 435 (1985). In addition, failure to file timely objections may waive the right to appeal this Court's order. *See* 28 U.S.C. § 636(b)(1); *Small v. Sec'y of Health & Human Servs.*, 892 F.2d 15, 16 (2d Cir. 1989).

In the instant case, objections to the March 27, 2012 R&R were due within fourteen days of Plaintiff's receipt of the transcript of the relevant proceeding, at which Judge Orenstein orally recommended that this Court deny Plaintiff's request for preliminary injunctive relief from a Section 730 mental examination. To date, no objections have been filed with this Court. Upon review, this Court affirms and adopts the March 27, 2012 R&R of Judge Orenstein in its entirety. Accordingly, Plaintiff's request for preliminary injunctive relief is hereby denied.

**SO ORDERED.**

  
/SANDRA L. TOWNES  
United States District Judge

Dated: *April 30*, 2012  
Brooklyn, New York